

Advisory Board Meeting Minutes

The Residential Ratepayers Advisory Board (“the Board”) held a meeting on September 13, 2004 in the new building of the Office of Consumer Advocate. The meeting started at 2:05 p.m.

Present for the Board were:

Ed Brueggemann, Chair
Larry Kelly, Co-Chair
Richard Stonner
Otis Perry
Ross Doer
Claira Monier
Jeffrey MacGivillray

Present for the Office of Consumer Advocate (“OCA”) were:

Anne Ross, Consumer Advocate
Kenneth Traum, Assistant Consumer Advocate
Christina Martin, Legal Assistant
William Homeyer, Utility Analyst

The meeting began with a motion to approve the minutes of the August 9, 2004 Board Meeting. Motion seconded and approved. Jeff abstained from voting due to the fact that he was not present for the meeting in August.

Agenda:

Anne explained item number two on the agenda related to PSNH’s continuing ownership of fossil and hydro generating assets. Jeff asked to what extent Transition Service is a realistic price. Ken explained that the Transition Price is not set by bid instead it is set by the PUC. Jeff asked if the price would include what is produced and sold off. Ken replied yes. Ed asked if there was anything we could do about this besides just stand up for a particular side, do we have a say? No, transition service price is the call of the PUC. Otis asked if anyone else is looking into transition pricing and divestiture. Anne replied yes the Commission Staff has raised the issue in the recent PSNH transition service docket. Jeff believes PSNH will not freely sell these assets and we should argue that PSNH’s sale of assets is a logical continuation of the 2000 legislation. Ed asks if OCA Staff has a recommendation. Larry would be interested to see the research on the legal status of the restructuring settlement and PSNH’s sale of hydro assets, before a recommendation could be given. Ken said he needs to look again at the settlement agreement. Larry suggested that we have options on this issue including legislation. Ken did emphasize that there are timing constraints. Ross suggested that we compare the settlement agreement and RSA 374-F and do an executive summary. Anne said she will take care of it. Claira asked when we could propose legislation. Jeff said not till after elections. Ed sums up that the Office will talk with PSNH and determine whether the issue of a subsequent sale of PSNH’s fossil hydro facilities can be dealt with in the current stranded cost docket or whether

other further actions will be required..

The OCA is in the search process for a new attorney. Ed asked if we were getting a good turn out. Anne replied we have had a good number of qualified applications. The closing date for the applications is today.

Ed asked the board again about the distribution of the OCA newsletters. Larry Kelly will take 300 to his office and direct managers to distribute them to the public that comes in their offices. In the future Christina will just email Larry, but for the first time distribution, copies should be handed out. Christina explained the other agencies and people who will be helping us distribute the newsletter to the public. Any other suggestions are always welcome.

Motion to go to Closed Session to discuss Personnel issues. Amended Motion to go to Closed Session to discuss a legal matter. Motion seconded, and approved. Motion to come out of Closed Session, seconded and approved. Jeff moves that the Closed Session minutes be kept closed until the board votes for them to be Opened. Seconded and Approved.

Bill gave a presentation on the complex telecom developments of Special Access pricing and competitive suppliers. There was some discussion as well as questions and answers regarding same. The Board asked if this is an informational piece or if there is something we need to be doing regarding this discussion. Bill answered it is purely information. Anne explained that we are nervous because of new rulemakings that are to be in draft soon at the PUC regarding alternative regulation, because some are not aware of the facts Bill is presenting. Otis asked how this affects the ratepayers. Anne described the proposed rules on alternative regulation that the PUC is in the process of drafting and the board asked that we forward along a copy to them. Anne explained that we would probably be coming to the Board again in the next month or so regarding this issue.

Ken summarized the Dufrense-Henry report on Bedford electric quality issues and that there will be a public hearing regarding the report. The report recommended a team approach to solving problems on the customer side of the meter. The OCA is wondering if it is cost appropriate for ratepayers as a group. Ed asked if it is a very technical report how can we go further without full understanding of the technical issues. Ken then explained the issue with the E-1 reports and how it is defined in the rules and how PSNH has been reading them. Until tracks all of their complaints and PSNH reports only the tested ones. Jeff asked how big a problem it would be for PSNH to address all complaints. Larry felt that PSNH would like to have that information. Anne gave a brief overview of the Motion Mr. Lamy filed regarding those E-1 forms and our possible response to that Motion. We may need to think of rulemaking issues for when the 300 rules come up which is in 2005. Otis asked if we were done with the Bedford Service Quality docket. Anne replied no, that the docket is still open. Larry feels that we have exhausted all possibilities in this docket and asked what more can we do. Ed asked if anyone disagreed with that opinion. No one did. Jeff suggested that when PSNH notices a pattern of service quality complaints they should be obligated to tell the PUC. Ross suggested that the PUC should not be in the business of micromanaging PSNH. The Board also feels that the OCA should adopt a policy regarding researching any information for a ratepayer. The Board suggested the OCA research other state agencies to see how they handle consumer inquiries, mailings and copies.

Claira pointed out that the disposal of the documents is the consumer's responsibility.

Ed made an announcement that he would like to step down from the Chairman's role when his term is up, and he would like to nominate Otis or Larry to take over. Ed asked if anyone would like to make any suggestions regarding those two gentlemen and Jeff asked that we put the subject on the agenda for next month's meeting. The Board agreed.

Addendum:

There was some discussion regarding the Fryeburg Water docket and the update on the case.

The next meeting will be October 4, 2004.

The meeting adjourned at 4:00.